



We are independent. Our complaint resolution service is free, fair and easy to use. If we can't help you, we will tell you about someone who can.

Failing to pay your energy or water bill

If you don't pay your energy or water bill by the due date, your provider can take action against you.

Your provider can:

- ask a credit reporting company to list you as a credit defaulter
- get an external debt collector to get the money from you.

If your provider is going to take action, it must follow the rules.

Rules about credit default listings

A credit default listing is a record on your credit report that shows you failed to pay your bill.

It will stay on your credit report for five years, even after you pay the amount you owe.

Your provider can ask for you to be listed as a credit defaulter when you owe \$150 or more and you have had 60 days to pay it.

Before your provider asks a credit reporting company to list you as a credit defaulter, your provider must write to you twice:

- Letter 1 must tell you how much you owe and give you 30 days to respond.
- Letter 2 must tell you that because you have not paid, you might be listed as a credit defaulter. This letter can only be sent 30 days after Letter 1.

If you still don't pay and your provider decides to have you listed as a credit defaulter, the listing can only be dated 14 days to 3 months after Letter 2.

Your provider will send these letters to the last postal or email address it has for you. If it doesn't have your correct contact details, you won't get the letters. This is your problem. It is up to you to give your provider your current contact details.

Rules about debt collectors

Your provider can also:

- ask a debt collector to get the money from you
- 'sell' your debt to the debt collector so you now owe the money to the debt collector.

Debt collectors must follow the guidelines made by the Australian Competition and Consumer Commission and the Australian Securities and Investment Commission.

Under these guidelines, debt collectors:

- can only contact you from 7.30am to 9pm on weekdays and from 9am to 9pm on weekends
- cannot contact you more than 3 times a week or 10 times a month
- cannot shout at you or abuse you
- cannot use or threaten physical force
- cannot make false statements about the amount you owe
- cannot make false statements about what will happen to you if you do not pay your debt.

What you can do

Mistakes

If you think your provider or the credit agency has made a mistake, contact it straight away.

If you are not happy with the way your provider responds, contact us.

Credit reports

Check your credit report regularly.

You can get a free online credit report every 3 months from any one of these companies:

- Equifax at equifax.com.au
- Illion at illion.com.au
- Experian at experian.com.au.

You can also ask for a free copy:

- if you have been refused credit in the last 90 days
- if the credit reporting company agreed to correct your information and you want to check they have done it.

Credit repair agents

Credit repair agents offer to help you get your credit default listing removed. They charge you fees to do this and you may have to pay the fees even if they fail.

Contact us for advice before you use a credit repair agent.

How we can help

We are independent. We resolve disputes in a way that is fair to you and fair to your provider.

We can:

- work with you and your provider to help you resolve your payment dispute
- investigate your case and try and resolve it for you.

To learn more about how we can help you, read our fact sheet: Making a complaint.

More help

For information, resources and fact sheets:

- visit the Office of the Australian Information Commissioner at www.oaic.gov.au
- visit the Australian Competition and Consumer Commission at www.accc.gov.au
- visit the Australian Securities and Investment Commission ASIC's Moneysmart website at www.moneysmart.gov.au
- visit the Financial Rights Legal Centre at www.financialrights.org.au
- call the Financial Rights Legal Centre Credit and Debt Hotline on 1800 007 007.